

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Investigation by the Department on its own Motion
into the Appropriate Pricing, based upon Total Element
Long-Run Incremental Costs, for Unbundled Network
Elements and Combinations of Unbundled Network
Elements, and the Appropriate Avoided Cost Discount
for Verizon New England, Inc. d/b/a Verizon
Massachusetts' Resale Services in the
Commonwealth of Massachusetts.

D.T.E. 01-20

**HEARING OFFICER MEMORANDUM RE: PROCEDURAL CONFERENCES
AND PROCEDURAL SCHEDULE**

November 2, 2001

In an October 29, 2001 letter to the Department of Telecommunications and Energy ("Department"), Verizon New England, Inc. d/b/a Verizon Massachusetts ("Verizon") stated that it could not complete discovery responses compelled by the Department's latest Interlocutory Order¹ in this proceeding in the time period specified, and asserted that the procedural schedule issued October 19, 2001 is unworkable. Consequently, Verizon requested that the Department convene a procedural conference to confer with the parties to develop a revised procedural schedule.

First, I agree with Verizon that the current procedural schedule requires modification. Therefore, the Department will hold a scheduling conference at 10 a.m. Tuesday, **November 13, 2001**, to determine the filing date for Surrebuttal Testimony and dates for evidentiary hearings and briefs. Parties should bring with them information on witness availability from at least December 3, 2001, through February 1, 2002. As stated in a hearing officer memo issued October 31, 2001, the Surrebuttal filing, set for November 13 by the October 19 Revised Procedural Schedule, is suspended until it can be rescheduled at the conference.

Second, concerning the remaining discovery issues in this case, Verizon stated in its October 29th letter that it is willing to work with AT&T Communications of New England, Inc. ("AT&T") to develop data responses that could be completed within a reasonable time period

¹ Interlocutory Order on AT&T's Motion for Relief, Motions to Compel Verizon Responses to AT&T Information Requests, and Conditional Motion to Strike Verizon's Recurring Cost Model (October 18, 2001).

so as not to unduly delay this proceeding. In order to facilitate that process, the Department will convene a procedural conference at 10 a.m. Wednesday, **November 7, 2001**, with the purpose of discussing and resolving the remaining discovery issues between Verizon and AT&T. The Department's goal at this procedural conference will be to reach a reasonable compromise on the scope of AT&T's outstanding discovery requests and the amount of additional time Verizon shall have to respond to those requests.²

Both procedural conferences will be held at the Department's offices at One South Station, Boston, MA. Parties unable to attend may participate by telephone. The Department will establish a phone bridge and will let parties know about the bridge telephone number shortly. Please contact the Hearing Officer at 617-305-3617 in advance to make arrangements.

² Verizon stated that it could not complete responses to AT&T Information Requests ATT-VZ 14-10, 14-11, 14-14, 14-15 and 14-32 in the ten-day time period specified in the October 18 Interlocutory Order.